

REMARKS

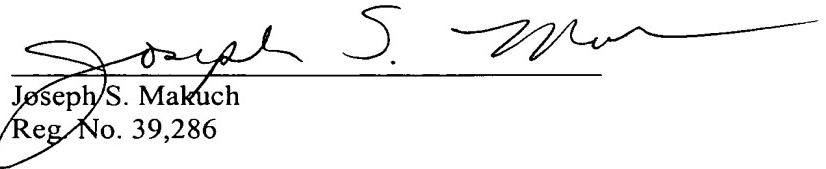
Applicant submits the following interview summaries:

A telephone interview was conducted between the Examiner and Applicant's representative Joseph S. Makuch on September 30, 2002. During that interview, Applicant's representative asked the Examiner why Applicant's Response to Election Requirement mailed June 28, 2002 was deemed nonresponsive since the Response expressly elected a species. The Examiner stated his position that the inclusion of new claim 49 rendered the Response nonresponsive because it improperly read on both species. Applicant's representative asked to speak with the Supervisory Patent Examiner (SPE). The Examiner stated that he had already discussed this issue with the SPE, and the SPE agreed with the Examiner's position. Applicant's representative stated that he would nonetheless like to speak with the SPE.

A telephone interview was conducted between the SPE and Applicant's representative on October 1, 2002. Applicant's representative asked the SPE why the mere inclusion of new claim 49 rendered the Response to Election Requirement nonresponsive in view of Applicant's express election of species. The SPE conceded that the election requirement would probably be more accurately characterized as a restriction requirement than an election of species, but at any rate, claim 49 would not be allowed because of objections to the form of language used in the claim. Applicant's representative agreed to file another Response re-affirming Applicant's election and amending claim 49 to better describe the claimed invention.

Applicant requests reconsideration. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,
MARGER JOHNSON & McCOLLOM, P.C.


Joseph S. Makuch
Reg. No. 39,286

MARGER JOHNSON & McCOLLOM
1030 SW Morrison Street
Portland, OR 97205
(503) 222-3613

BEST AVAILABLE COPY